



consumer news

DEPARTMENT OF HEALTH, EDUCATION & WELFARE
Office of Consumer Affairs
Virginia H. Knauer, Director

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Dear Consumer:

Two months ago I used the front page of CONSUMER NEWS to give you a checkoff list for things to do to save energy this winter. For some parts of the country, it is too cold now to do some of the things I suggested, for example, installing insulation. There are other measures, however, that you can take to save energy for yourself & to help America overcome its energy shortage this winter. For a starter, I have listed 12 tips below.

In future issues of CONSUMER NEWS, I plan to pass along other energy saving ideas. If you have any saving suggestions for other readers, send them to my office. Beginning with the Jan. 1 issue, CONSUMER NEWS will revive its popular CN Notebook. You may remember that CN NOTEBOOK was published last year to pass along readers' suggestions for saving grocery money. The new edition of CN NOTEBOOK will be about saving energy—things that you do to save energy & suggestions from Federal agencies as well as from business & industry.

Here is my midwinter check list for saving energy & saving money:

- ☐ Set your thermostat at 68° during the day.
- ☐ Turn the thermostat down to 60° at night.
- ☐ Close shades & drapes at night. Open them for sunlight.
- ☐ Keep fireplace damper closed when not in use.
- ☐ Clean or replace furnace air filters at least monthly.
- ☐ If storm windows are not installed, tape or tack clear plastic over inside window frames.
- ☐ "Bleed" air from radiators of hot water heating systems.
- ☐ Seal cracks around attic doors & pulldown stairs.
- ☐ Close off & do not heat unoccupied rooms.
- ☐ Use washing machines & dishwashers only with full loads.
- ☐ Turn off gas & electric outdoor lights used only for decorative purposes.
- ☐ When possible, wash clothes in cold water.

Remember, send your energy saving suggestions to CN Notebook, Consumer News, Office of Consumer Affairs, Washington, DC 20201.

Sincerely,

Virginia Knauer

Consumer justice

National Institute for Consumer Justice (NICJ) has published a final report, *Redress of Consumer Grievances*, which includes its findings & recommendations on resolving disputes arising out of consumer transactions in the marketplace. The institute grew out of President Nixon's Consumer Message to Congress, Feb. 24, 1971 [CONSUMER NEWS: April 1971]. The President urged interested private citizens to undertake a study of consumer justice.

NICJ started its studies in the summer of 1971 & concluded its work in March 1973. NICJ limited its studies to the problems that face consumers who suffer economic loss by paying for defective or misrepresented goods or services. NICJ did not attempt to study the particular problems of personal injury, landlord & tenant law, auto accident insurance & public utilities. The final report focuses on 4 topics about resolving consumer disputes:

1. Business-sponsored mechanisms;
2. Arbitration (referral of a dispute to one or more impartial persons for a final decision);
3. Small claims courts;
4. Class actions (lawsuits in which a person—representing a large number of persons who have similar claims against the same person, persons, company or companies—can sue for himself & the others).

The following are some of the NICJ's 40 recommendations:

● That businesses adopt the following 2 recommendations made by the National Business Council for Consumer Affairs (NBCCA):

1. The handling of consumer complaints should be swift, personalized, courteous & as effectively managed as any other function of prime importance to the company, including increased personnel training in the handling of consumer communications, complaint followup & appropriate involvement by senior management;

2. The money-back policy should be fully explored by companies not now offering it & should be adopted wherever feasible as a means to directly resolve disputes with consumers.

● That Better Business Bureaus require their members to establish effective internal grievance procedures.

● That arbitration be considered as a means of settling consumer disputes that cannot be resolved by negotiation or mediation.

● That all states adopt a uniform arbitration act.

● That a small claims court should be available & accessible to every person in order to provide simple, speedy, inexpensive & understandable justice.

● That the small claims court should be a part of the regular court system.

● That the court should not only be a consumers' court, but also have the same subject matter & personal jurisdiction as a regular civil court in the state in which it is located.

● That small claims courts should have the power to order repairs, to repeal the sale or contract or to take other actions to resolve the dispute.

● That the monetary ceiling in the court's jurisdiction should be high enough so that most cases, which could not be economically carried to the regular civil court, would fit within it.

● That a small claims court should have evening & Saturday hours.

● That neighborhood small claims courts should be established, particularly in urban areas.

● That fees should be low & that the court should have the power to do away with fees.

● That the main goal of consumer class actions should be to provide redress for consumers' injuries caused by unlawful activities that affect large numbers of consumers & thereby to provide incentives to business to avoid similar injuries in the future.

● That a successful consumer in a class action case should be awarded appropriate attorney's fees & that the court should withhold or limit the award of attorney's fees for the consumer's lawyer if that lawyer has engaged in unfair or unethical activity. That the court should award attorney's fees to the defendant (person or company) only when the consumer's case was frivolous & was brought primarily for forcing a settlement for the attorney's monetary advantage.

If you want a copy of NICJ's full report, send your request to National Consumer Law Center Inc., One Court St., Boston, MA 02108. Make check or money order for 50¢ payable to the center.

ICC warns moving companies

Interstate Commerce Commission (ICC) has warned moving companies that it will not tolerate "overbooking" or the failure to pick up or deliver furniture & other household goods on the day promised. ICC said the failure of truck companies to pick up, transport & deliver household goods on agreed dates or periods of time is a violation of the commission's consumer protection regulations. (If a company fails to meet a promised date because of a condition or conditions beyond its control—such as a storm—it is not considered to be in violation of the regulation.)

The "overbooking" practice occurs particularly during the busy season—June, July & August; however, ICC will investigate consumer complaints during any season. If a mover does not discontinue these improper booking practices, ICC will take the matter to court.

Although ICC regulations require movers to notify consumers of any delay or failure to pick up or deliver as agreed upon, such notification does not mean that movers no longer have an obligation to pick up or deliver as soon as possible. Consumers who incur additional expenses due to the mover's failure to make the pickup or deliver on time may file an "inconvenience claim" with the mover to get reimbursed. Such expenses usually include reasonable overnight costs & a portion of food costs associated with the mover's delay.

If a mover does not pick up or deliver your furniture on time, you may file a complaint with the commission by writing to Interstate Commerce Commission, Washington, DC 20423. If you intend to file an inconvenience claim with the mover, be sure to save all receipts for hotel or motel rooms & for meals & other expenses caused by the delay.

Free firewood

Agriculture Dept. is providing some free wood for your fireplace this winter—but you have to cut it yourself. The wood, which is available in the National Forests in 44 states, previously has been available only to miners, prospectors & other persons in special situations. Agriculture changed its policy this year because of the nation's energy crisis & the resulting demand for more firewood.

Consumers who want to cut their own firewood in National Forests should contact a supervisor's office or a ranger's station to get a permit. To call, check your local telephone directory for Agriculture Dept. under the U.S. Government heading. If you do not find a separate number for National Forest Service, call any agency listed under Agriculture Dept. & ask for assistance in reaching someone who knows about National Forest policy. Your permit will allow you to cut only dead timber or timber not considered to be valuable for any other purpose.

Progress report: mushrooms

Food & Drug Administration's (FDA) survey of all canned mushrooms stocked in warehouses [CONSUMER NEW:, Oct. 1] has resulted in one recall: Tusco Mushroom Products Inc. has recalled some of its mushrooms. No evidence of botulinum toxin was found in the Tusco mushrooms, but laboratory analysis indicated that underprocessing of the mushrooms caused the abnormal cans. FDA has reminded consumers that cans of mushrooms or other products that are swollen, leaking or oddly dented should be reported to the nearest FDA office or local health department.

Do-it-yourself mushrooms

If you have enough home freezer space, you may choose to buy fresh mushrooms & cook & freeze them yourself. These tips come from Agriculture Dept.:

- Select mushrooms free from spots, wash in cold water & trim ends; slice or quarter large mushrooms.
- Cook mushrooms by steaming or sauteeing.
- Cool steamed mushrooms promptly in cold water & drain. Cool sauteed mushrooms at room temperature.
- Pack cooked mushrooms in containers leaving 1/2 inch head space. Seal & freeze.

Thinking about storing gasoline? Read this

Gasoline shortages & price increases may be giving you ideas about stocking up on gasoline. Before you spend your money for a gasoline storage container, consider the hazards: Hospital emergency rooms treated 13,500 persons last year for injuries related to gasoline; about 7,000 of these persons were burned & about 5,000 were poisoned because of swallowing gasoline.

Consumer Product Safety Commission (CPSC) has made the following suggestions about storing & using gasoline:

- If it is necessary to keep a small amount of gasoline on hand, store it in a heavy metal safety container with a tightly closed lid. Never store gasoline or other liquid fuel in glass or plastic bottles &, in particular, never use empty soft drink bottles, which could be attractive to young children.
- Place the container in a ventilated, cool area. Never keep gasoline or other fuel inside the house or in the basement.
- Never store gasoline near open flames, pilot lights, stoves, heaters, electric mowers or any other sources of ignition or sparks.
- Never use gasoline near an open flame. Never smoke near gasoline.
- Never carry gasoline in the trunk of the car. Escaping vapors can easily ignite.
- Keep gasoline, kerosene, other fuels & polishes out of the reach of children.
- Avoid repeated or prolonged skin contact with gasoline & avoid breathing fuel vapors.
- Avoid careless use of gasoline when cleaning clothing, cleaning paint brushes, exterminating insects, priming carburetors & starting or feeding fires.

If a child accidentally swallows gasoline, do not try to get the child to vomit. Call a doctor or other medical help immediately. Also call for medical help immediately if an adult accidentally swallows gasoline (one of the dangers of siphoning). Do not try to get the person to vomit.

New Federal publication

The following is available from **Public Documents Distribution Center**, 5801 Tabor Ave, Philadelphia, PA 19120; make check or money order payable to Supt. of Documents:

Know Your Pension Plan (explains pension plans for employees in private industry & tells how to get specific information to help you plan your retirement), published by **Labor Dept**; #2900-00186; 55¢.

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